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Comparing conditions with former years. Our pay roll and hospital records show a large number of employees who were idle on account of sickness, principally due to malaria, whereas during the past 12 months there has been practically no shortage of labor from this same cause. Our industry as well as others has suffered on account of scarcity of labor on account of Army volunteering and furnishing quota due to the draft; hence if in addition to these unusual demands upon our men we were further handicapped by the usual amount of sickness as was the rule in former years, our production would have been decreased at this time at least 33 per cent. We have been maintaining a thorough antimosquito campaign during the year for less than \$1,000 and no other investment that we have made will bring us as large returns.

Yours, very truly,

CROSSETT LUMBER Co.;
A. TRIESCHMANN.

Summary.—The control of malaria by measures directed against the anopheline mosquito was continued in Crossett, Ark., by the community during 1917. The measures were the same as those employed by the Public Health Service in its demonstration work conducted in cooperation with the International Health Board. They consisted of drainage and filling operations supplemented by oiling.

The reduction in malaria during 1917 over 1916, as shown by the decrease in number of cases of the disease reported, was 85.5 per cent. The reduction as determined by comparison of the total professional visits for the disease in 1916 and 1917 was 73 per cent. The reduction for both years together, as determined by the professional visits, was 92 per cent. The degree of economic efficiency made possible by this reduction is of particular importance at the present time because of war conditions.

The total cost of the two years' work was \$3,781.85. In 1916 it was \$2,506.40, and in 1917, \$1,275.45, the per capita costs being, respectively, \$1.23½ and \$0.63, and the per family costs \$5.31 and \$2.71—a reduction in the relative cost of the second year over the first of about 50 per cent.

VACCINATION OF SCHOOL CHILDREN.

ARKANSAS SUPREME COURT UPHOLDS A REGULATION REQUIRING VACCINATION OF PUPILS IN THE SCHOOLS OF THE STATE.

In December, 1917, the State Board of Health of Arkansas adopted a regulation requiring a certificate of successful or recent vaccination or a certificate of immunity from smallpox as a condition to attendance upon the schools of the State. The Supreme Court of the State, in an opinion rendered June 3, 1918, decided that the regulation was valid.

The court said:

"It is true that the board of health is not authorized to manage or control the schools of the State, either public or private. That

power is conferred upon other agencies. The prevention of the spread of contagious or infectious diseases by preventing unvaccinated persons from associating with the school children and school teachers of the State in no way infringes upon the constitutional right to attend the schools or the management and control thereof by school boards or directors. It would not be contended that parents and guardians could send their children to school unclad and unfed. Other reasonable health regulations are just as important as food and clothing.

"It is a well-established rule of law that legislative bodies have no right to delegate the law making power to executive officers or administrative boards, but it is settled in this State that the legislature may delegate 'the power to determine some factor or state of things upon which the law makes or intends to make its own action depend.' (Boyd v. Bryant, 35 Ark., 69.) * * * The creation of boards of health for the purpose of preventing and controlling contagious diseases and the right of the boards to adopt reasonable rules and regulations for that purpose is not regarded generally as a delegation of legislative authority. (12 R. C. L., pp. 1265 and 1271, and cases cited in support of the text.) * * *

"The necessity for and reasonableness of the regulations is largely within the judgment of the board. Every presumption is indulged in favor of the necessity of the rule, and courts will not interfere with acts of health authorities unless it is apparent that the rule is arbitrary. (12 R. C. L., 1273.) We think the existing conditions in the State of Arkansas at the time the rule was adopted warranted the adoption of such a rule. It is commonly known that at that time smallpox was prevalent in the State and that unless preventive measures were adopted a smallpox epidemic might result. It was adopted during the period of the mobilization of Arkansas' army quota. Soldiers were being transported in and out of the State in great numbers. The virtue of vaccination as a preventive of smallpox can not longer be doubted. It is the generally known and accepted treatment for the prevention of this loathsome disease. We can not say that under the prevailing conditions the adoption and promulgation of such a rule was either unreasonable or unnecessary. * * *

"It is contended that if the rule stands the compulsory education act necessarily brings about compulsory vaccination, and that compulsory vaccination is in conflict with the constitution. It is true that there is no American authority for compulsory vaccination in the sense of forcing one to submit his person thereto, but there is authority for penalizing one who refuses to comply with an order or law requiring vaccination. In support of this doctrine, we in-

corporate in this opinion the following extract and authorities from case note, 17 L. R. A. (N. S.) 709:

“ ‘It is a valid exercise of the police power to delegate to local boards of health authority to require, under penalty, the vaccination of all citizens when it may be deemed necessary to the public health and safety; and such necessity arises when smallpox is present in a community, or its appearance may be reasonably apprehended. (Com. v. Jacobson, 183 Mass., 242; 67 L. R. A., 935; 66 N. E., 719 (affirmed 197 U. S., 11; 49 L. Ed., 643; 25 Sup. Ct. Rep., 256); Morris v. Columbus, 102 Ga., 792; 42 L. R. A., 175; 66 Am. St. Rep., 243; 30 S. E., 850; State v. Hay, 126 N. C., 999; 49 L. R. A., 588; 78 Am. St. Rep., 691; 35 S. E., 459.)

“ ‘And an adult is not deprived of his liberty by the enforcement of a rule of a local board of health requiring the vaccination of all citizens—at least in the absence of satisfactory evidence that he is not a fit subject of vaccination, or that, by reason of his condition, it will seriously impair his health, or possibly cause his death. (Com. v. Jacobson, 197 U. S., 11; 49 L. Ed., 643; 25 Sup. Ct. Rep., 358).

“ ‘And the fact that one has decided opinions against vaccination does not exempt him from the operation of such a regulation. (Com. v. Jacobson, 183 Mass., 242; 67 L. R. A., 935; 66 N. E., 719.)’ ”